

REMARKS/ARGUMENTS

Claims 8, 14 and 16 are deleted and Claims 30-33 are added. The claims now in the application are 1-7, 9-13, 15 and 17-29.

The amendment to the specification at page 3, line 12, identifies the molecular weight as the number average molecular weight. In this connection, please see attached page 934 of Kirk-Othmer Encyclopedia of Chemical Technology, 3<sup>rd</sup> Ed., 1982, which relates number average molecular weight to viscosity of dimethyl silicone polymers.

That at page 10, line 11 corrects an erroneous translation of “esternament” in the original. The amendment is consistent with the disclosure in the paragraph at page 11, line 13.

The amendment at page 12, lines 1 and 2, removes reference to plasticizer effectiveness in oil-extended rubber.

Claim 3 is amended to recite that the defined saturated hydrocarbon is present in the defined composition in the amount 0.01-2.8% by weight of the total weight of the recited organic polymer. Basis for the 0.01% lower limit appears in the paragraph at page 4, line 12. Basis for the 2.8% upper limit appears in Example 8 at page 16, last entry listed in Example 8 table.

The remaining amendments to the claims are intended to improve their readability and address antecedent identification.

New Claims 30-33 recite the hydrocarbon additive range to be 0.01% to 10% by weight of the total weight of the organic polymer, please see the paragraph at page 5, line 1 and specifies the polar organic polymer classes disclosed in the paragraph at page 6, line 5.

In amended Claims 19, 20, 23 and 27 as well as in new Claim 30, “polymethacrylates” appears instead of “methacrylates”, as was obviously intended; please see PMMA in Example 6, page 15.

Application No. 09/685,601  
Reply to Office Action of June 3, 2004

Kirk-Othmer Encyclopedia of Chemical Technology, 4<sup>th</sup> Ed., Vol. 19, pages 291, 292 and 609 is cited as of interest concerning the significance of the various standard abbreviations, such as PET and PEN, employed in the application.

RE THE OFFICIAL ACTION

PRIORITY

A new copy of the priority document will be submitted.

SPECIFICATION

The polysiloxane molecular weight is identified as the number average molecular weight. The Kirk-Othmer citation, noted above, supports the identification.

CLAIM OBJECTIONS

Claims 8 and 16 are deleted.

Claim 10 as amended recites as physical forms a solution absorbing product or polymeric matrix containing or supporting the composition of interest. These are specified forms. Withdrawal of the objection is solicited.

CLAIM REJECTIONS - 35 U.S.C. § 112

Reconsideration and withdrawal of the stated rejections are requested as applied to the here amended claims are requested.

The molecular weight recited in the independent claims is identified as the number arrearage molecular weight.

With respect to Claims 2, 4, 7, 9, 21 and 24-28, it is believed that as now amended the criticisms are overcome.

As for Claims 6, 7 and 9 the organic polymer is recited positively.

As for Claims 2 and 24-27, Claims 2, 25, 26 and 27 now recite a method step. Claim 24 recites the formulations positively.

In Claim 21, "as such" is removed as unnecessary.

In Claim 28, "added separately" as explained above, should have read "added externally."

### CLAIM ANALYSIS

The remarks have been noted. It is noted however that the properties recited are inherent in the compositions recited and serve to emphasize their novelty.

### CLAIM REJECTIONS - 35 U.S.C. § 102

Reconsideration and withdrawal of retained Claims 2-3, 12-13, 18-19, 21-22, and 25-26 under 35 U.S.C. § 102(b) as being anticipated by Tanaka et al., U.S. Patent No. 5,416,151 are requested.

Claims 2 and 3 are amended to recite that the additive product, i.e. the hydrocarbon is present in the organic polymer composition in the amount of 0.01 to 2.8% of the organic polymer. Tanaka's minimum inferred ratio of oil to polymer is 2 parts of oil to 60 of 1-butene polymer plus thermoplastic resin, please see col. 2, lines 15-56 of the patent. This is 3.3% which is greater than the 2.8% recited for the hydrocarbon in Claims 2 and 3.

The remaining claims depend directly or indirectly from Claims 2 or 3.

There is therefore no anticipation for the here amended claims.

Reconsideration and withdrawal of the rejection of retained Claims 2-3, 12-13, 18-23, and 25-27 under 35 U.S.C. § 102(b) as being anticipated by Takeda et al., U.S. Patent No. 4,762,878 are requested.

The minimum inferred ratio of squalene to polymer is 40% to 40%, please see col. 1, the last paragraph, which exceeds the 2.8% for the upper limit required by all those claims for squalene or equivalent, either directly or through dependence on amended Claims 2 and 3. There is therefore no anticipation for the here amended claims.

The rejection of Claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Takeda et al., U.S. Patent No. 4,762,878 is moot in view of the deletion of the claim.

New Claims 30-33 recite a polymeric composition containing the defined saturated hydrocarbon in the range of 0.01% to 10% of the polymer. It is noted that neither Takeda et al. nor Tanaka et al. disclose or suggest the polar polymers specified in these claims.

ALLOWABLE SUBJECT MATTER

It is believed that Claims 4-11, 15 and 28-29, as here amended, overcome the stated objections/rejections under 35 U.S.C. § 112. The here amended remaining retained claims and new Claims 30-35 are also urged to be allowable.

Favorable reconsideration is solicited.

Respectfully submitted,

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